

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Berka *et al.*

Serial No.: 09/482,788

Group Art Unit: 1652

Filed: January 13, 2000

Examiner: Tung, P.

For: Methods For Producing Polypeptides In Cyclohexadepsipeptide-Deficient Cells

01/31/2002 NMOHAMH1 00000094 501701 09482788

01 FC:103 144.00 CH

AMENDMENT

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action dated June 26, 2001, please amend the above-captioned application as follows:

IN THE CLAIMS

Please cancel claims 1-3, 8, 9, 13, 22-24, 30, 31, 37, 42, 50, 53, 57-59, 63, and 64 without prejudice or disclaimer. Please add new claims 70-97 as follows:

70. A method for producing a secreted heterologous polypeptide, comprising:

(a) cultivating a mutant cell of a parent filamentous fungal cell under conditions conducive for the production of the secreted heterologous polypeptide, wherein (i) the mutant cell comprises a first nucleic acid sequence encoding the secreted heterologous polypeptide, and (ii) the mutant cell produces less of a cyclohexadepsipeptide than the parent filamentous fungal cell when cultured under the same conditions; and

(b) isolating the secreted heterologous polypeptide from the cultivation medium.

71. The method of claim 70, wherein the filamentous fungal cell is an *Acremonium*, *Aspergillus*, *Aureobasidium*, *Cryptococcus*, *Filibasidium*, *Fusarium*, *Gibberella*, *Humicola*, *Magnaporthe*, *Mucor*,

01/31/2002 NMOHAMH1 00000094 501701 09482788

02 FC:117 920.00 CH

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Attorney Docket No.: 5778.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Berka et al.

Serial No.: 09/482,788

Group Art Unit: To be assigned

Filed: January 13, 2000

Examiner: To be assigned

Confirmation No: 7465

For: Methods for producing polypeptides in cyclohexadepsipeptide-deficient cells

AMENDMENT FEE TRANSMITTAL

Commissioner for Patents
Washington, DC 20231

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Sir:

Transmitted herewith is an Amendment for the above-identified application in response to the Office Action mailed **June 26, 2001**.

It is respectfully requested that the time for response to the Office Action be extended for a period of **3 months from September 27, 2001 to December 26, 2001**. The required fee for the extension is estimated to be **\$890.00**.

The fee for claims has been calculated as shown below:

Total: $28 - 20 = 8 \times 18 =$ \$144.00

Independent: $2 - 3 = 0 \times 84 =$ \$0.00

Total additional fee for claims required is **\$144.00**.

Please charge the required extension and claims fees, estimated to be **\$1034.00**, to Novozymes North America, Inc., Deposit Account No. 50-1701. A duplicate of this sheet is enclosed.

Respectfully submitted,

Date: December 20, 2001

Robert L. Starnes, Reg. No. 41,324
Novozymes Biotech, Inc.
1445 Drew Avenue
Davis, CA 95616
(530) 757-8100



Attorney Docket No.: 5778.200-US

1652
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of: Berka et al.

Serial No.: 09/482,788

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Confirmation No: 7465

For: Methods for producing polypeptides in cyclohexadepsipeptide-deficient cells

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents
Washington, DC 20231

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Sir:

I hereby certify that the attached correspondence comprising:

1. Amendment Fee Transmittal (in duplicate)
2. Amendment and Marked Up Version pursuant to 37 C.F.R. 1.21

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
Washington, DC 20231

on December 20, 2001.

Seleste A. Buriani
(name of person mailing paper)

Seleste A. Buriani
(signature of person mailing paper)